

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7408 of 2014

=====

Dinesh Kumar son of Shri Indra Deo Singh, resident of Village+ Post+ Police
Station- Fathehpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary,
Department of Education, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Patna Division, Patna.
4. The District Education Officer, Patna null null
5. The District Programme Officer (Establishment), Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Chakrapani, Advocate
Mr. Dipak Kumar, Advocate
For the Respondent/s : Mr. Sanjay Pandey, GP 21
Mr. Vivek Anand Amritesh, AC to GP 21

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL JUDGMENT

Date: 20-01-2015

Heard the parties.

The petitioner is aggrieved by order dated 15.02.2014 (Annexure-9) passed by the respondent no.3 whereby in exercise of powers under the provisions of Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 (hereinafter to be referred to as "Rules, 2005"), he has been visited with punishment of dismissal from service in view of the finding recorded in the departmental proceeding.

Indisputably, the impugned order is appealable in terms of Rule 23 read with Rule 24 of the Rules, 2005. The petitioner has approached this Court in the present proceeding without exhausting the remedy of appeal.

In above view of the matter, the present writ petition is

dismissed. However, liberty is granted to the petitioner to file an appeal against the impugned order before the appropriate forum.

(Birendra Prasad Verma, J)

Tahir/-

U			
---	--	--	--